

By Representative Harrell

1 A bill to be entitled
 2 An act relating to education; amending s.
 3 232.245, F.S.; requiring a school district to
 4 notify the parent of a student who does not
 5 take the statewide assessments; requiring a
 6 parent's signed consent for the provision of
 7 instructional modifications that would not be
 8 permitted on the statewide assessments;
 9 amending s. 229.57; requiring a school district
 10 to notify the parent of a student who does not
 11 take the statewide assessments; requiring a
 12 school district to notify a parent when a
 13 student is provided with instructional
 14 modifications that are not allowable in the
 15 statewide assessment program and to inform the
 16 parent regarding the impact of nonparticipation
 17 on the student's ability to meet expected
 18 proficiency levels; providing an effective
 19 date.

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 21 Be It Enacted by the Legislature of the State of Florida:

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 23 Section 1. Present subsections (5), (6), and (7) of
 24 section 232.245, Florida Statutes, are redesignated as
 25 subsections (6), (7), and (8), respectively, and a new
 26 subsection (5) is added to that section to read:

27 232.245 Pupil progression; remedial instruction;
 28 reporting requirements.--

29 (5) If a student does not participate in the statewide
 30 assessment, the district must notify the student's parent and
 31 provide the parent with information regarding the implications

1 of such nonparticipation. If modifications are made in the
2 student's instruction to provide accommodations that would not
3 be permitted on the statewide assessment tests, the district
4 must notify the student's parent of the implications of such
5 instructional modifications. A parent must provide signed
6 consent for a student to receive instructional modifications
7 that would not be permitted on the statewide assessments and
8 must acknowledge in writing that he or she understands the
9 implications of such accommodation.

10 Section 2. Paragraph (c) of subsection (3) of section
11 229.57, Florida Statutes, is amended to read:

12 229.57 Student assessment program.--

13 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner
14 shall design and implement a statewide program of educational
15 assessment that provides information for the improvement of
16 the operation and management of the public schools, including
17 schools operating for the purpose of providing educational
18 services to youth in Department of Juvenile Justice programs.
19 Pursuant to the statewide assessment program, the commissioner
20 shall:

21 (c) Develop and implement a student achievement
22 testing program as part of the statewide assessment program,
23 to be administered annually in grades 3 through 10 to measure
24 reading, writing, science, and mathematics. The testing
25 program must be designed so that:

26 1. The tests measure student skills and competencies
27 adopted by the state board as specified in paragraph (a). The
28 tests must measure and report student proficiency levels in
29 reading, writing, and mathematics. Science proficiency must be
30 measured statewide beginning in 2003. Other content areas may
31 be included as directed by the commissioner. The commissioner

1 shall provide for the tests to be developed or obtained, as
2 appropriate, through contracts and project agreements with
3 private vendors, public vendors, public agencies,
4 postsecondary institutions, or school districts. The
5 commissioner shall obtain input with respect to the design and
6 implementation of the testing program from state educators and
7 the public.

8 2. The tests are a combination of norm-referenced and
9 criterion-referenced and include, to the extent determined by
10 the commissioner, items that require the student to produce
11 information or perform tasks in such a way that the skills and
12 competencies he or she uses can be measured.

13 3. Each testing program, whether at the elementary,
14 middle, or high school level, includes a test of writing in
15 which students are required to produce writings which are then
16 scored by appropriate methods.

17 4. A score is designated for each subject area tested,
18 below which score a student's performance is deemed
19 inadequate. The school districts shall provide appropriate
20 remedial instruction to students who score below these levels.

21 5. Except as provided in subparagraph 6., all 11th
22 grade students take a high school competency test developed by
23 the state board to test minimum student performance skills and
24 competencies in reading, writing, and mathematics. The test
25 must be based on the skills and competencies adopted by the
26 state board pursuant to paragraph (a). Upon recommendation of
27 the commissioner, the state board shall designate a passing
28 score for each part of the high school competency test. In
29 establishing passing scores, the state board shall consider
30 any possible negative impact of the test on minority students.
31 The commissioner may establish criteria whereby a student who

1 successfully demonstrates proficiency in either reading or
2 mathematics or both may be exempted from taking the
3 corresponding section of the high school competency test or
4 the college placement test. A student must earn a passing
5 score or have been exempted from each part of the high school
6 competency test in order to qualify for a regular high school
7 diploma. The school districts shall provide appropriate
8 remedial instruction to students who do not pass part of the
9 competency test.

10 6. Students who enroll in grade 9 in the fall of 1999
11 and thereafter must earn a passing score on the grade 10
12 assessment test described in this paragraph instead of the
13 high school competency test described in subparagraph 5. Such
14 students must earn a passing score in reading, writing, and
15 mathematics to qualify for a regular high school diploma. Upon
16 recommendation of the commissioner, the state board shall
17 designate a passing score for each part of the grade 10
18 assessment test. In establishing passing scores, the state
19 board shall consider any possible negative impact of the test
20 on minority students.

21 7. Participation in the testing program is mandatory
22 for all students, including students served in Department of
23 Juvenile Justice programs, except as otherwise prescribed by
24 the commissioner. If a student does not participate in the
25 testing program, the district must notify the parent and
26 provide the parent with information regarding the reasons for
27 and implications of such nonparticipation.The commissioner
28 shall recommend rules to the state board for the provision of
29 test adaptations and modifications of procedures as necessary
30 for students in exceptional education programs and for
31 students who have limited English proficiency.

1 8. A student seeking an adult high school diploma must
2 meet the same testing requirements that a regular high school
3 student must meet.

4 9. School districts must provide instruction to
5 prepare students to demonstrate proficiency in the skills and
6 competencies necessary for successful grade-to-grade
7 progression and high school graduation. If a student is
8 provided with accommodations or modifications that are not
9 allowable in the statewide assessment program, as described in
10 the test manuals, the district must inform the parent in
11 writing, and must provide the parent with information
12 regarding the impact on the student's ability to meet expected
13 proficiency levels in reading, writing, and math.The
14 commissioner shall conduct studies as necessary to verify that
15 the required skills and competencies are part of the district
16 instructional programs.

17 10. By January 1, 2000, the Department of Education
18 must develop, or select, and implement a common battery of
19 assessment tools which will be used in all juvenile justice
20 programs in the state. These tools must accurately reflect
21 criteria established in the Florida Sunshine State Standards.

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23 The commissioner may design and implement student testing
24 programs for any grade level and subject area, based on
25 procedures designated by the commissioner to monitor
26 educational achievement in the state.

27 Section 3. This act shall take effect upon becoming a
28 law.

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LEGISLATIVE SUMMARY

Requires school districts to notify the parents of students who do not take statewide assessments. Requires parental consent for instructional modifications that are not permitted on statewide assessments. (See bill for details.)